

## **REMARKS**

Reconsideration of this application as amended is respectfully requested.

In the Office Action, claims 1-4 and 6-62 are pending. Claims 1-4 and 6-62 stand rejected. In this response, claims 1, 21 and 41 have been amended. No new claims have been added. No claims have been canceled. Thus, claims 1-4 and 6-62, as amended, remain pending. Support for the amendments can be found throughout the specifications as filed. No new matter has been added. Applicants reserve all rights with respect to the applicability of the Doctrine of Equivalents.

### **Examiner Interview**

Applicants thank the Examiner for the courtesy of the telephone interview on Nov. 17, 2006, in which the Examiner asserts communication information is inherent for two entities, such as two devices or two persons, to communicate with each other. However, applicants respectively disagree.

Applicants respectfully submit that “communication information” should be interpreted in the context of the written descriptions, not in a vacuum. Nonetheless, applicants have amended claims 1, 21 and 41 to clarify that communication information in this context identifies a “type of communication link.” With all due respect, applicants believe the Examiner incorrectly interprets “communication information” outside the scope of the written descriptions.

### ***Rejections under 35 U.S.C. § 103(a)***

Claims 1-3, 6, 9-11, 19-22, 26, 31, and 37-40 stand rejected under 35 U.S.C. §103(a) as being unpatentable over US Patent No. 7,020,881 to Takahashi et al (hereinafter “Takahashi”) in view of US Patent No. 6,606,669 to Nakagiri (hereinafter “Nakagiri”).

Applicants hereby reserve the right to swear behind Takahashi at a later date. However, applicants respectfully submit that applicants' claims 1-3, 6, 9-11, 19-22, 26, 31, and 37-40, as amended, are not anticipated by the cited reference.

Specifically, independent claim 1, as amended, includes the limitations:

“automatically identifying the particular host device that the digital camera device is currently connected to, including determining a type of physical communication link allowing communication between the digital camera device and the particular host device;  
based on said determined type of physical communication link,  
establishing a communication session between the digital camera device and the particular host device, said communication session supporting photo-serving communication protocols that present the digital camera device as a file server to the host device; and  
through said photo-serving communication protocols, allowing the host device to access digital images residing on the digital camera device, as if the digital camera device were the file server”

(emphasis added)

Applicants respectfully submit that neither Takahashi nor Nakagiri, individually or in combination, disclose or suggest the limitations of determining a type of physical communication link between a digital camera device and a host device currently connected to establish a communication session.

Rather Takahashi teaches a system control technique for a controller to achieve control by connecting individual multimedia devices regarded as objects with functions and control means to the controller (Takahashi, col. 5, lines 58-67). Takahashi also discloses physical

connection configurations required to form bi-directional communication paths between a multimedia controller and each multimedia device such as SCSI bus system, 10Base-T, 10Base-2/10Base-5 or their combinations (Takahashi, col. 6, lines 54 – 67, Figs. 2(a)-2(c)). According to Takahashi, it is necessary to use at least one kind of interface physically common to all the connected devices, such as 10Base-2/10Base-T communication connectors, for processing the communication protocol (TCP/IP) (Takahashi, col. 7, lines 13-30). Additionally, Takahashi states that when a digital VTR (Video Tape Recorder) represented as an object is connected to a LAN, a system director object recognizes the connection to the digital VTR and sends a device ID to the digital VTR (Takahashi, col. 13, lines 40-47, Fig. 18). Takahashi further discloses an interface control unit includes an interface controller for controlling communication at a physical or logical low level and a device connection/disconnection signal processing means for processing a device connection signal indicative of a connection of any of the multimedia devices detected by the interface controller or a device disconnection signal indicative of a disconnection of any of the multimedia devices detected by the interface controller (Takahashi, col. 36, lines 9-16). In addition, Takahashi discloses processing to be executed to check the states of connected devices to determine whether a communication time has reach a time-out value, to determine whether an acknowledgement message has been received from each of the multimedia devices, and to check whether a multimedia device is already stored on a management table (Takahashi, col. 38, lines 25-50). Takahashi also describes determining a particular device is not connected or in an abnormal state (Takahashi, col. 42, lines 60-67). In Takahashi, a relay checks output a line connection detecting circuit to detect whether a multimedia device has been connected to a port (Takahashi, col. 44, lines 51-57). Takahashi also describes a multimedia device includes cable connectors serving as cable unlocking/cable disconnection detecting switches

to transmit cable disconnection detection signal to a line connection detection circuit (Takahashi, col. 47, lines 25-37). Thus, Takahashi configures physical connections to multimedia devices before connecting the devices and detects connection/disconnection status afterwards. However, nowhere does Takahashi disclose or suggest determining a type of physical communication link between a digital camera device and a host device currently connected to establish a communication session.

Nakagiri, on the other hand, provides an information processing apparatus constructed by a host computer and a peripheral device connected to the host computer through a bidirectional interface and which inputs and outputs data between the host computer and the peripheral device through a device driver that corresponds to the peripheral device is loaded in the OS of the host computer (Nakagiri, col. 2, lines 24-31). Nakagiri teaches a printer reads out data transmitted through a bidirectional interface and proceeds by transmitting a printer identification data, transmitting a printer driver, or executing ordinary printing, according to a check made on the data (Nakagiri, col. 5, lines 42-65, Fig. 3). Nakagiri describes the data could be a port identification data request, a printer driver transmission command, or an ordinary print control command (Nakagiri, col. 5, lines 61-65). Nakagiri discloses a relative simple format, like a predetermined escape sequence, is used for the identification data request command (Nakagiri, col. 5, lines 44-53). However, Nakarigi fails to disclose or suggest determining a type of physical communication link between a digital camera device and a host device currently connected to establish a communication session.

Further, Takahashi is related to system control of multimedia devices (Takahashi, col. 1, lines 19-22). Nakagiri, however, relates to an information processing apparatus for inputting and outputting data to/from a device connected through a device driver loaded in an OS of a host computer (Nakagiri, col. 1, lines 7-12). In Takahashi, a control device is

provided for controlling a network device connected to a network (Takahashi, col. 1, lines 63-66). Thus, Takahashi and Nakagiri belong to different arts. There is neither suggestion nor motivation to combine Takahashi and Nakagiri. Therefore, Takahashi and Nakagiri cannot be logically combined.

Furthermore, the references, considered as a whole, do not suggest the desirability and thus the obviousness of making the combination. It would be impermissible hindsight to combine Takahashi and Nakagiri based on applicants' own disclosure. Even if they are combined, such a combination still lacks the limitations set forth above.

Furthermore, even in combination, Takahashi and Nakagiri do not teach or suggest "determining a type of physical communication link allowing communication between the digital camera device and the particular host device," and performing certain steps based on the physical communication link type.

Therefore, in view of the foregoing remarks, it is respectfully submitted that independent claim 1, as amended, is patentable over Takahashi and Nakagiri. Dependent claims 2-20 incorporate the limitations of independent claim 1, and are not obvious over the combination of references for at least the same reasons enumerated above with respect to claim 1.

Independent claim 21, as amended, includes the limitation of "automatically identifying the particular host device that the portable device is connected to, including determining a type of physical communication link allowing communication between the portable device and the particular host device," and performing actions based on the type determination. As discussed above, the combination of Takahashi and Nakagiri do not teach or suggest determining a type of physical communication link allowing communication, and then performing steps based upon this determination.

Therefore, claim 21, and claims 22-40 which depend on it are not obvious over the combination of references.

Claims 13-15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Takahashi in view of Nakagiri, further in view of US Patent No. 6,353,848 to Morris (hereinafter “Morris”), further in view of US Patent No. 6,628,325 to Steinberg et al. (hereinafter, “Steinberg”) and further in view of US Patent No. 5,737,491 to Allen et al. (hereinafter “Allen”). However, applicants respectfully submit that applicants’ claims 13-15 are patentable over the cited references.

Claims 13-15 depend from independent claim 1, as amended, and therefore incorporates the limitations of claim 1.. It is respectfully submitted that Takahashi, Nakagiri, for reasons similar to those discussed above, Morris, Steinberg or Allen, individually or in combination, fail to disclose or suggestion the above noted limitations of claim 1, as amended.

Morris provides an executable program for accessing a digital camera via a communication network using a Web server on a server computer system and a Web browser on a client computer system that are communicatively coupled via the Internet. (Morris, col. 4, lines 44-50). Morris teaches the camera can be communicatively coupled to the server computer system via the Internet using a dial-up connection to ISP via a POTS line (Morris, col. 7, lines 37-40). Morris teaches the camera coupled to the server computer system via communication line of LAN (Morris, col. 8, lines 1-3). Morris teaches the camera coupled to the server computer system via an input/output port (Morris, col. 8, lines 9-11). Morris teaches an executable program running on a web server receives and accepts a connection request from a camera; receives and reads registration information from the camera; and determines if the camera is supported by the server (Morris, Fig. 7, col. 11, lines 15-40). Morris teaches a camera connects to an executable program and transmits identification name

and authentication information electronically to the executable program (Morris, col. 15, lines 10-19). However, Morris does not disclose or suggest determining a type of physical communication link between a digital camera device and a host device currently connected to establish a communication session.

Steinberg teaches a communication device for interconnecting a digital camera to a communication network for downloading data to a remote computer (Steinberg, col. 2, lines 40-42). Steinberg teaches that the device has a network communication port for establishing communication with a network and a camera communication port, such as serial, parallel, SCSI, USB or IrDA-port, for connection to a digital camera (Steinberg, col. 2, lines 42- 48). Steinberg teaches the communication device programmed to query the camera communication port to determine if a camera is connected (Steinberg, col. 10, lines 61-64). Steinberg teaches the communication device sending instructions, including downloading an image data, to a connected camera (Steinberg, col. 11, lines 12-13, Fig. 7). Steinberg teaches the communication device checks the output (network communication) port to determine if a connection is made to a network and if the destination is connected and ready (Steinberg, col. 11, lines 24-29). However, nowhere does Steinberg disclose or suggest determining a type of physical communication link between a digital camera device and a host device currently connected to establish a communication session.

Allen teaches a system for digital images capture and transmission, including a digital camera, a transceiver in the digital camera for transmitting a digital image file to a remote image fulfillment server, the digital image file having associated information for controlling the image fulfillment server. The image fulfillment server includes a transceiver for receiving the digital image file and control signals (Allen, col. 1, lines 35-52, Fig. 1). Allen teaches the fulfillment server reads the image file header including I.D. of the camera, command flags and

the digital voice data. Command flags that are set indicate effects of action (Allen, col. 4, lines 55-60). Allen teaches the digitized voice data stored in the file header is recognized by comparing to a text code book, and when a match is made, the commands are executed (Allen, col. 5, lines 14-17). However, Allen fails to disclose or suggest determining a type of physical communication link between a digital camera device and a host device currently connected to establish a communication session.

Thus, none of the references alone or in combination teach or suggest the limitation of "determining a type of physical communication link allowing communication between the digital camera device and the particular host device," and performing certain steps based on the physical communication link type as recited in claim 1. Since claims 13-15 depend from independent claim 1, as amended, for at least the reasons similar to those discussed above, it is respectfully submitted that claims 13-15 are patentable over the cited references.

Claims 23-25, 29-30 and 32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Takahashi in view of Nakagiri, further in view of Morris and further in view of Steinberg. However, applicants respectfully submit that applicants' claims 23-25, 29-30 and 32 are patentable over the cited references.

Claims 23-25, 29-30 and 32 depend from independent claim 21, as amended. As noted above, none of the references teach or suggest "automatically identifying the particular host device that the portable device is connected to, including determining a type of physical communication link allowing communication between the portable device and the particular host device," and performing actions based on the type determination.

Therefore, claim 21, and thus its dependent claims 23-25, 29-30 and 32 are not obvious over the combination of Takahashi, Nakagiri, Morris and Steinberg.



Claims 33-35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Takahashi in view of Nakagiri, further in view of Morris and further in view of Allen. However, applicants respectfully submit that applicants' claims 23-25, 29-30 and 32 are patentable over the cited references.

Claims 33-35 depend from independent claim 21, as amended. As noted above, none of the references teach or suggest "automatically identifying the particular host device that the portable device is connected to, including determining a type of physical communication link allowing communication between the portable device and the particular host device," and performing actions based on the type determination. Therefore, in view of the foregoing remarks, it is respectfully submitted that independent claim 21, and therefore its dependent claims 33-25, are patentable over Takahashi, Nakagiri, Morris, and Allen.

Claims 41, 43-45, 51, 59 and 62 stand rejected under 35 U.S.C. §103(a) as being unpatentable over US Patent No. 6,005,613 to Endsley et al. (hereinafter "Endsley") in view of Nakagiri and further in view of Morris. However, applicants respectfully submit that applicants' claims 41, 43-45, 51, 59 and 62 are patentable over the cited references.

Independent claim 41, as amended includes the limitation of "an identification module for automatically identifying the particular host device that the portable device is connected to, including determining a type of physical communication link allowing communication between the portable device and the particular host device."

As discussed above, neither Nakagiri nor Morris teach or suggest determining a type of physical communication link allowing communication.

Endsley teaches a digital camera connected to a host computer via a USB digital host interface (Endsley, col. 3, lines 8-9, Fig. 1). Endsley also describes the USB hardware and software which provide communication between the host and the camera through USB data

transfer model (Endsley, col. 4, lines 20-23, col. 4, lines 64-66). However, nowhere does Endsley disclose or suggest determining a type of physical communication link between a digital camera device and a host device currently connected to establish a communication session, nor the existence of an identification module to perform such identification.

Therefore, claim 41, and its dependent claims are not obvious over Endsley in view of Nakagiri and Morris.

Further, Endsley is related to a multi-mode digital camera with USB computer interface (Endsley, col. 3, lines 7-9). Nakagiri, however, relates to an information processing apparatus for inputting and outputting data to/from a device connected through a device driver load in an OS of a host computer (Nakagiri, col. 1, lines 7-12). Morris, on the other hand, relates to a method for remotely accessing a digital camera via a communication link (Morris, col. 1, lines 7-10). There is neither suggestion nor motivation to combine Endsley and Nakagiri. Therefore, the rejection over the combination of references should be withdrawn.

Claims 46 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Endsley in view of Nakagiri, further in view of Morris and further in view of Takahashi. However, applicants respectfully submit that applicants' claim 46 are patentable over the cited references.

Claim 46 depends from independent claim 41, as amended. As discussed above, Endsley in view of Nakagiri and Morris does not teach or suggest the limitation of "an identification module for automatically identifying the particular host device that the portable device is connected to, including determining a type of physical communication link allowing communication between the portable device and the particular host device." Takahashi does remedy this shortcoming of the references. As noted above, Takahashi does not teach or suggest a determination of a type of physical communication link.

Therefore, claim 41, and thus its dependent claim 46, is patentable over Endsley, Nakagiri, Morris and Takahashi.

Claims 47-48, 56 and 61 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Endsley in view of Nakagiri, further in view of Morris, and further in view of US Publication No. 2003/0142215 to Ward et al. (hereinafter "Ward"). However, applicants respectfully submit that applicants' claims 47-48, 56 and 61 are patentable over the cited references.

Independent claim 41, as amended includes the limitation of "an identification module for automatically identifying the particular host device that the portable device is connected to, including determining a type of physical communication link allowing communication between the portable device and the particular host device." It is respectfully submitted that Endsley, Nakagiri, Morris, or Ward, individually or in combination, fail to disclose or suggestion the above noted limitation.

As noted above, none of Endsley, Nakagiri, and Morris teach or suggest an identification module which determines a type of physical communication link allowing communication between the portable device and the particular host device. Ward does not remedy this shortcoming of the references.

Rather, Ward teaches steps to transmit images using a network configuration file generated at a host computer and downloaded to a digital camera (Ward, [0004], [0014]). Ward also discloses if there is a request to send an image, the user ensures a camera is connected to the appropriate service (wired telephone line, cellular phone, kiosk, etc.) and the camera uses an appropriate network configuration file to establish communications with the service (Ward, [0014], Fig. 2). Ward describes selecting a service from a menu of online services or names of ISP (Ward, [0015]), such as Cellular, CDPD, Phone, Satellite, Ethernet,

Kiosk and ISDN (War, Fig. 2). Ward further states a camera reads connection parameters from a network configuration file, dial a phone and establishes a connection to a service; transmits the user's account name and password to the service; and transmits images to the destination service using FTP (Ward, [0016]-[0018]). However, nowhere does Ward disclose or suggest determining a type of physical communication link between a digital camera device and a host device currently connected to establish a communication session.

Therefore, it is respectfully submitted that independent claim 41, and therefore its dependent claims 47-48, 56 and 61, are patentable over Endsley, Nakagiri, Morris and Ward.

Claim 60 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Endsley in view of Nakagiri, further in view of Morris, and further in view of US Patent No. 6,529,969 to Inoue (hereinafter "Inoue"). However, applicants respectfully submit that applicants' claim 60 is patentable over the cited references.

Claim 60 depends on claim 41, which includes the limitation of "an identification module for automatically identifying the particular host device that the portable device is connected to, including determining a type of physical communication link allowing communication between the portable device and the particular host device." It is respectfully submitted that Endsley, Nakagiri, Morris, or Inoue, individually or in combination, fail to disclose or suggestion the above noted limitation.

As noted above, none of Endsley, Nakagiri, and Morris teach or suggest an identification module which determines a type of physical communication link allowing communication between the portable device and the particular host device. Inoue does not remedy this shortcoming of the references.

Rather, Inoue provides a reception apparatus and a reception method by which selection of an audio source through an IEEE 1394 bus can be performed by simple and plain

operation (Inoue, col. 2, lines 46-50). Inoue teaches a point to point-connection as a form of connection wherein a relationship between a transmission apparatus and a reception apparatus is specified as a plug and data transmission is performed between the transmission apparatus and the reception apparatus using a common channel (Inoue, col. 17, lines 8-12). Inoue also describes the plug connection is established with a Plug control Register provided in an address space in the apparatus (Inoue, col. 17, lines 32-34). However, nowhere does Inoue disclose or suggest determining a type of physical communication link between a digital camera device and a host device currently connected to establish a communication session.

Therefore, it is respectfully submitted that independent claim 41, and therefore its dependent claim 60, is patentable over Endsley, Nakagiri, Morris and Inoue.


In view of the foregoing amendments and remarks, applicant respectfully submits the applicable rejections and objections have been overcome. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

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